

Exhibit 13

Confidential
30(B)(6) NPBL by designee CANNON MOSS - February 14, 2020

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION

CSX TRANSPORTATION, INC.,)
Individually and on behalf)
of NORFOLK & PORTSMOUTH)
BELT LINE RAILROAD)
COMPANY,)
)
Plaintiff,)
)
V.) NO. 2:18cv530
)
NORFOLK SOUTHERN RAILWAY)
COMPANY, NORFOLK &)
PORTSMOUTH BELT LINE)
RAILROAD COMPANY, JERRY)
HALL, THOMAS HURLBUT,)
PHILIP MERILLI and CANNON)
MOSS,)
)
Defendants.)

C O N F I D E N T I A L

30(b)(6) DEPOSITION UPON ORAL EXAMINATION OF

NPBL by its designee CANNON MOSS

TAKEN ON BEHALF OF THE PLAINTIFF

Norfolk, Virginia

February 14, 2020

1 A Yes.

2 Q And what was the result of the
3 Belt Line's analysis?

4 A We didn't think that the proposed rate
5 would make sense for us. I mean, it -- there were some
6 problems with the rate they proposed. We didn't know
7 what we were going to be paying Norfolk Southern for
8 trackage rates; we couldn't do an in-depth analysis.

9 The other aspect is if we gave a rate of
10 this magnitude to CSX, then our other largest customer
11 that handled 18,000 carloads would probably want the
12 same one, so we'd lose revenue from that aspect.

13 But that's why we proposed to the board
14 if they want to seriously look at it, to have a rate
15 committee to look at our rates.

16 Q Okay. So is the recommend- -- the
17 official recommendation from management to the board
18 was to have a rate committee look at this proposal?

19 A That's the message I relayed to the
20 board.

21 Q Okay. And what was the board's response
22 to that message?

23 A There was no interest from either side to
24 have a rate committee.

25 Q When you say "either side"...